Lockdown ! Risks, Rights, and Freedom

PHIL 334: Pandemic Ethics

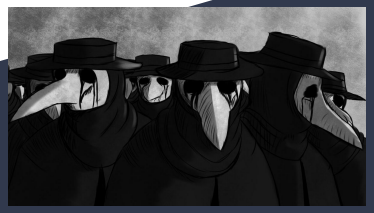


Table of Contents

COVID-19: What Do We Know?

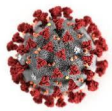
Corona**vi**rus **D**isease 20**19** (SARS-CoV-2) combines:

1. Ability to cause severe illness and death
2. A high rate of infectiousness (R0)

Originated in Wuhan, China, in late 2019.

What questions do you have about COVID-19?

When poll is active, respond at **PollEv.com/ryandoody752**
Text **RYANDOODY752** to **37607** once to join



COVID-19 and Slowing the Spread

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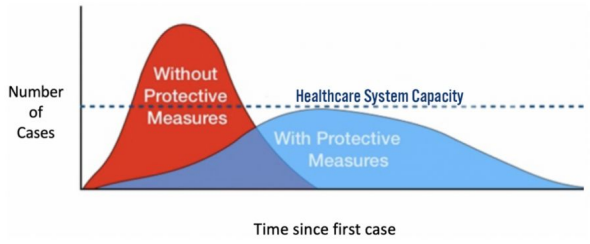


Figure 1. Flattening the Curve

COVID-19 and Slowing the Spread

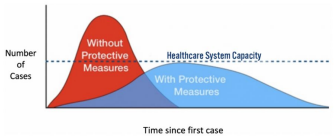


Figure 1. Flattening the Curve

How to Slow the Spread:

1. *Physical Distancing*
2. *Good Hygiene*

Lockdown: forcing people to do some combination of the above.

Closing schools, restaurants; banning large gatherings; mask mandates; …

Gerald Lang
"Costs and Risk Impositions in a Pandemic"

Lang, "Costs and Risk Impositions"

These bleak facts raise a number of important moral questions. What costs should we accept in order to reduce the transmission of Covid and minimize the deaths and long-term health complications that ensue from it? The longer we wait until we fully re-open the economy and allow ordinary life to resume, the greater the damage to our economic and social lives, and the more protracted the subordination of our personal liberties. But re-opening the economy and allowing people to come and go as they please will inevitably involve much higher levels of interactivity between us, and this may be very costly for some. The result will be an expected increase in the transmission rate of the virus, with lethal outcomes in some cases and long-term health complications in other cases.

Lang, "Costs and Risk Impositions"

Obligations to Save Lives

Lockdown costs, slow the spread

Open Up benefit, more death

How large of a cost must we pay in order to prevent COVID-19 deaths?

Lang, "Costs and Risk Impositions"

Obligations to Save Lives

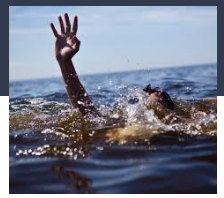
Lockdown: costs, slow the spread

Open Up: benefit, more death

How large of a cost must we pay in order to prevent COVID-19 deaths?

The philosopher **Peter Singer** argues that morality requires us to *save lives* even at great personal *cost*.

Peter Singer's Pond

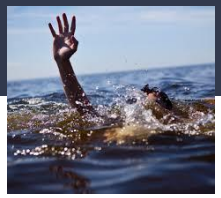


Pond. You see a child drowning in a pond. You're the only person nearby. You can easily wade into the pond to save the child's life, but doing so will ruin your expensive shoes.

Is it okay to let the child drown?

Singer uses this example to argue that we have profound obligations to help the distant needy (e.g., by donating to OXFAM).

Peter Singer's Pond



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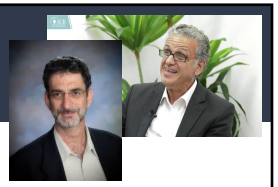
Is it okay to let the child drown?

On **Peter Singer's** view you are morally obligated to sacrifice resources to save lives up to the point where you'd risk losing just as much as those you're required to save.

This is a **very demanding** view.

Anti-Demandingness Response



Alec Walen & Bashshar Haydar argue that Singer's view is *too demanding*.

They argue that, while Singer might be right about one-off cases, we aren't required to bear significant costs *permanently*.

(1) How high of a cost must we bear?

(2) For how long must we bear it?

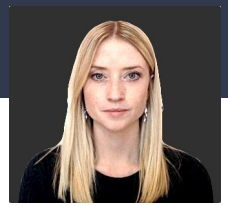
We cannot be morally required to sacrifice *our entire lives* to morality in the way Singer's view requires.

The Dialectic So Far...

Peter Singer:
We should pay significant costs in order to save lives.

Alec Walen & Bashshar Haydar:
That's too demanding (at least in the long-term).

Killing vs Letting Die



Helen Frowe responds by pointing to the distinction between *letting die* and *killing*.

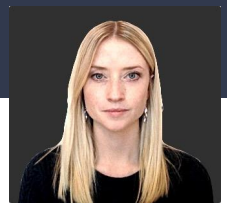
Case 1: Alice sacrifices her arm to save Betty from drowning.

Case 2: Alice sacrifices Betty to save her arm.

Option A:
Lose arm, Betty lives

Option B:
Keep arm, Betty dies

Killing vs Letting Die



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Case 1: Alice sacrifices her arm to save Betty from drowning.

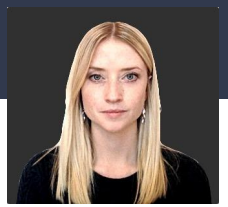
Case 2: Alice sacrifices Betty to save her arm.

Option A:
Lose arm, Betty is saved

Option B:
Keep arm, Betty drowns

This is a choice between Saving and Letting Die.

Killing vs Letting Die



Helen Frowe responds by pointing to the distinction between *letting die* and *killing*.

Case 1: Alice sacrifices her arm to save Betty from drowning.

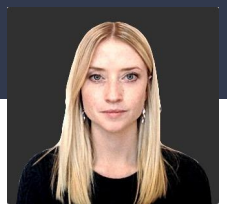
Case 2: Alice sacrifices Betty to save her arm.

Option A:
Lose arm, you don't kill Betty

Option B:
Keep arm, you kill Betty

This is a choice between Not Killing and Killing.

Killing vs Letting Die



Helen Frowe responds by pointing to the distinction between *letting die* and *killing*.

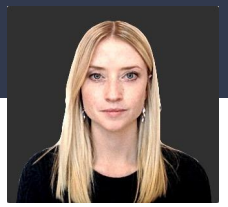
1. In **Singer's Pond**, you are choosing between *Saving a Life* and *Letting the Child Die.*
2. With **COVID-19**, you are choosing between *Not Killing* and *Killing*.*

Option A:
Pay cost, no deaths

Option B:
Don't pay cost, 1 death

*Really, it's *imposing a risk of death* on others. (We'll talk about this later.)

Killing vs Letting Die



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1. In **Singer's Pond**, you are choosing between *Saving a Life* and *Letting the Child Die.*
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Option A:
Ruin shoes, save the child

Option B:
Dry shoes, let the child die

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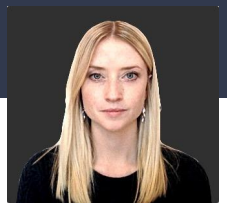
Killing vs Letting Die



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1. In **Singer's Pond**, you are choosing between *Saving a Life* and *Letting the Child Die.*
2. With **COVID-19**, you are choosing between *Not Killing* and *Killing*.*

Option A:
Stay inside, don't kill anyone

Option B:
Go out, risk killing someone

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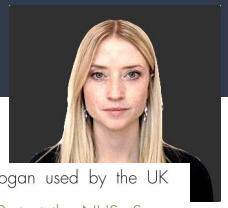
Killing vs Letting Die



Two more particular lessons follow from Frowe's discussion. First, the slogan used by the UK government during the early part of the Covid pandemic ('Stay Home, Protect the NHS, Save Lives') was misleading. We were, and are, staying at home primarily in order to ensure that we do not infect and perhaps kill others. Second, the accumulated costs that we should be expected to put up for the duration of the lockdown (and its aftermath) are considerably higher than they would be if our only concern was to save lives. We can presumptively expect, on moral grounds, to be required to sacrifice more in order not to kill others than we would in order simply to save them from dangers for which we were not responsible.

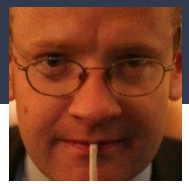
The Dialectic So Far...

Peter Singer:
We should pay significant costs in order to save lives.

Alec Walen & Bashshar Haydar:
That's too demanding (at least in the long-term).

Helen Frowe:
Maybe, but we must be willing to pay a higher cost to avoid *harm* to others (which is the point of Lockdown).

Reciprocal Risks and Waiver

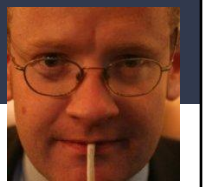


Gerald Lang agrees with Frowe, but responds that there's another feature of the situation that's morally relevant:

*The **reciprocal** nature of the threat.*

"When it comes to the likelihood of infection, each of us poses a risk to others, and others pose a risk to us. … We therefore stand in a reciprocal relationship with each other: everyone is basically a threat to everyone else."

Reciprocal Risks and Waiver

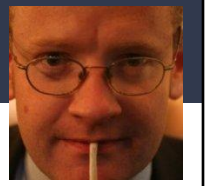


Consider two cases.

Case 3. We all know that Alice is not contagious, but Betty *might* be. By hanging out together, Betty poses a risk to Alice.

Does Betty *wrong* Alice?

Reciprocal Risks and Waiver



Consider two cases.

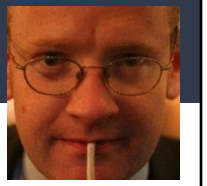
Case 3. We all know that Alice is not contagious, but Betty *might* be. By hanging out together, Betty poses a risk to Alice.

Interesting Question:
Does imposing a risk of harm on X *wrong* X?

If Betty *in fact* infects Alice, she harms her; and thus wrongs her.

What if Betty doesn't infect Alice? Alice isn't harmed, but has she been wronged?

Reciprocal Risks and Waiver



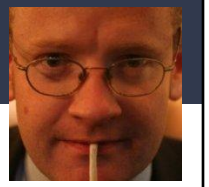
Consider two cases.

Case 4. Neither Alice or Betty knows who is infected. Both run the risk of infecting, and being infected by, the other.

Is anyone being wronged here?

Reciprocal Risk
If Betty is wronging Alice, Alice is also wronging Betty.

Reciprocal Risks and Waiver



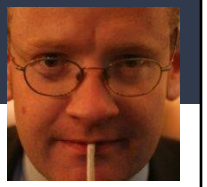
Lang claims that …

If X is wronging Y while also being wronged by Y, and Y is wronging X while being wronged by X, then (given some further constraints) neither is wronging the other.

We will have *waived* our right not to have risk imposed on us.

Examples:
Driving, cycling, horseback riding.

Reciprocal Risks and Waiver



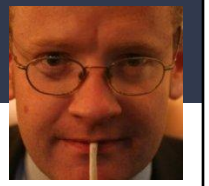
Conditions for the Waiver:

1. The (implicit) agreement must be *unforced*.
2. Medical safety-net.
3. Make the average social environment safer (e.g., social distancing, mask-wearing).
4. Ensure that those at high risk can avoid infection.

What *justifies* these conditions?

Why must they be met in order for the waivers to be legitimate?

Lang's Conclusion



If and when these conditions were in place, however, it would no longer be the case as we went about our daily business that one of the risks we were running was that of manslaughter. We might still be the cause of other people's dying, but our victims will not have been infected as a result of their exposure to a risk that they had a compelling interest in avoiding.

What Do You Think?